

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Civil Action No: **05-11386-WGY**

GANNON & SCOTT, INC.,
Plaintiff

V.

ELIZABETH TOLAN, SARAH TOLAN AND PEGGEY TOLAN
Defendants

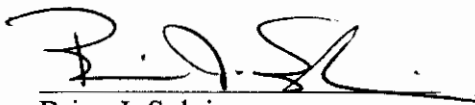
REQUEST FOR DEFAULT JUDGMENT

To the clerk of the above named court:

Pursuant to Rule 55 (b) of the Federal Rules of Civil Procedure I, Brian J. Sylvia, Esquire, the undersigned, request that Default Judgment be entered against defendant Peggy Tolan in the amount of \$34,806.06, with no interests or costs and make affidavit that:

1. The total amount of damages due to Elizabeth and Sarah Tolan from defendant Peggy Tolan exclusive of costs is \$34806.06;
2. Defendant, Peggy Tolan, is not an infant or incompetent person;
3. Defendant, Peggy Tolan is not in the Military Service of the United States or its Allies, as defined in the Soldiers and Sailors Relief Act of 1940 as amended, but is at present currently incarcerated at the Massachusetts Correctional Institution, 99 Loring Drive in Framingham, Massachusetts 01702, Inmate # F80370.

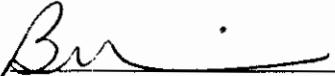
Signed under the pains and penalties of perjury this 20th day of September 2005.



Brian J. Sylvia
Watt & Sylvia
628 Pleasant Street
New Bedford, MA 02740
(508)984-1470
BBO # 567925

CERTIFICATE OF SERVICE

I, Brian J. Sylvia, Attorney for the Defendants, Elizabeth Tolan And Sarah Tolan hereby certify that I caused a true copy of the Request for Default Judgment and the Military Affidavit to be served upon Plaintiff's Attorney, Linda Rykes Sloan of Salter, McGowen, Sylvia & Leonard of 321 South Main Street in Providence, RI 02903 and Peggy Tolan of MCI Framingham at 99 Loring Drive in Framingham, Massachusetts 01702, Inmate # F80370 via first class mail this 26th day of September, 2005.


Brian J. Sylvia

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Civil Action No: **05-11386-WGY**

GANNON & SCOTT, INC.,
Plaintiff

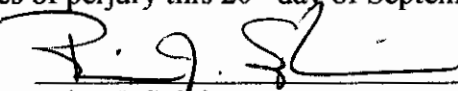
V.

ELIZABETH TOLAN, SARAH TOLAN AND PEGGEY TOLAN
Defendants

MILITARY AFFIDAVIT

I, Brian J. Sylvia, Esquire on oath, depose and say that the defendant Peggy A. Tolan in the above entitled action is not in the Military Service of the United States or its Allies, as defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended but is at present at the Massachusetts Correctional Institution, 99 Loring Drive in Framingham, Massachusetts 01702, Inmate # F80370; and that the Defendant is not an infant or incompetent person.

Signed under the pains and penalties of perjury this 20th day of September 2005.


Brian J. Sylvia